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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,635	02/25/2004	Vijay S. Raisinghani	IS01341TC	3103
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MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			EXAMINER ANYIKIRE, CHIKAODILI E	
			ART UNIT 2621	PAPER NUMBER
			NOTIFICATION DATE 07/19/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/786,635	Applicant(s) RAISINGHANI ET AL.	
	Examiner Chikaodili E. Anyikire	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20040225</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application is responsive to application number (10786635) filed on February 25, 2004. Claims 1-20 are pending and have been examined.

Information Disclosure Statement

2. Acknowledgement is made of applicant's information disclosure statement.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 4-13, and 15-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Mackey et al (US 6, 141, 611).

As per claim 1, Mackey et al discloses a video recording system, comprising:

- a. a means for sensing when a vehicular collision occurs (Fig 2, 24; Col 2 Ln 14-18 and Col 2 Ln 44-48);
- b. at least one video camera (Fig 2, 12; Col 2 Ln 11-21);
- c. a means for storing a predetermined amount of video footage recorded by the at least one video camera (Fig 2, 28; Col 2 Ln 16-18 and Col 2 Ln 30); and
- d. a triggering means coupling the means for sensing when a vehicular collision occurs by the at least one video camera (Fig 2, 12 and 14; Col 2 Ln 14-18);

wherein when the means for sensing when a vehicular collision occurs is actuated, the at least one video camera begins recording the video footage (Col 2 Ln 11-29).

As per claim 2, Mackey et al discloses the system of claim 1, wherein the means for sensing when a vehicular collision occurs is selected from the group consisting of accelerometers, air bag actuation mechanisms; speedometers, collision sensors, seat belt monitors, acoustic sensors, engine sensors, gyroscopic means and automotive systems sensors (Col 1 Ln 35-39, Col 2 Ln 14-29, and Col 3 Ln 10-11).

As per claim 4, Mackey et al discloses the system of claim 2, wherein the means for storing the predetermined amount of video footage is coupled to the at least one video camera by a hard-wire link (Col 2 Ln 35-37).

As per claim 5, Mackey et al discloses the system of claim 2, wherein the means for storing the predetermined amount of video footage is coupled to the at least one video camera by wireless link (Col 2 Ln 30-33).

As per claim 6, Mackey et al discloses the system of claim 5, further comprising at least a second means for storing video footage, wherein the at least a second means for storing video footage is disposed at a remote location (Col 2 Ln 35-37).

As per claim 7, Mackey et al discloses the system of claim 5, further comprising a means for displaying the video footage, wherein the means for displaying the video footage is disposed at a remote location (Fig 1, 21; Col 2 Ln 35-45).

As per claim 8, Mackey et al discloses the system of claim 5, wherein the video footage is streamed across the wireless link (Col 2 Ln 30-33).

As per claim 10, Mackey et al discloses the system of claim 1, wherein the video camera comprises a cellular telephone (Col 2 Ln 30-34).

As per claim 11, Mackey et al disclose the system of claim 1, wherein the video camera comprises a vehicular navigation unit (Col 1 Ln 28-35).

As per claim 12, Mackey et al disclose a video recording system for capturing video footage of an accident scene, the system comprising:

a. a video camera comprising:

i. at least one microprocessor (Fig 2, 12; the prior art discloses a digital video camera, which includes a microprocessor);

ii. memory for storing at least a portion of the video footage therein (Col 2 Ln 11-21); and

iii. a means of receiving a video actuation signal (Col 2 Ln 11-21);

b. a vehicular control system comprising:

i. a means for detecting a collision (Fig 2, 24; Col 2 Ln 14-18 and Col 2 Ln 44-48); and

ii. a means for transmitting a video actuation signal (Col 2 Ln 30-40);

wherein when the means for detecting a collision detects that a collision has occurred, the means for transmitting a video actuation signal transmits a video actuation signal, and upon the means for receiving a video actuation signal receiving the video actuation signal, the microprocessor causes the video camera to begin recording the video footage (Col 2 Ln 11-60).

As per claim 13, arguments analogous to those presented for claim 2 are applicable to claim 13.

As per claim 15, arguments analogous to those presented for claim 10 are applicable to claim 15.

As per claim 16, arguments analogous to those presented for claim 11 are applicable to claim 16.

As per claim 17, Mackey et al disclose a method of recording video footage of an accident scene, the method comprising the steps of:

- a. upon a vehicular collision occurring, receiving a video actuation signal from a vehicular diagnostic system capable of detecting that the vehicular collision has occurred (Fig 2, 24; Col 2 Ln 14-18 and Col 2 Ln 44-48);
- b. initiating a video recording system (Col 2 Ln 11-29); and
- c. storing video footage recorded by the video recording system (Fig 2, 28; Col 2 Ln 16-18 and Col 2 Ln 30).

As per claim 18, Mackey et al discloses the method of claim 17, further comprising the step of transmitting the video footage to a server (Fig 1, 19 and 20; Col 2 Ln 34-35).

As per claim 19, arguments analogous to those presented for claim 1 are applicable to claim 19.

As per claim 20, arguments analogous to those presented for claim 12 are applicable to claim 20.

Claim Rejections - 35 USC § 103

Art Unit: 2621

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 3, 9, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackey et al (US 6, 141, 611) in view of Johnson et al (US 6, 163, 338).

As per claim 3, Mackey et al disclose the system of claim 2.

However, Mackey et al does not explicitly teach wherein the system further comprises a microphone for recording audio footage.

In the same field of endeavor, Johnson et al teach the system further comprises a microphone for recording audio footage (Col 8 Ln 18 – 41).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Mackey et al with the microphone of Johnson et al. The advantage of modifying the system of Mackey et al with Johnson et al is that the use of the microphone will save acoustic events and extend versatility of the recording system.

As per claim 9, Mackey et al disclose the system of claim 5.

However, Mackey et al does not explicitly teach wherein the video camera comprises a remotely actuatable control mechanism .

In the same field of endeavor, Johnson et al teaches wherein the video camera comprises a remotely actuatable control mechanism (Fig 1, Image sensor 1, time generator 7; Col 4 Ln 20-21).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Mackey et al with the remotely controlled camera of Johnson et al. The advantage of modifying the system of Mackey et al with Johnson et al is that it will provide the capability of both local and remote control of image capturing system.

As per claim 14, arguments analogous to those presented for claim 3 are applicable to claim 14.

Other Prior Art Cited

4. The following prior art is cited because it is relevant art to the present applications.

Bassett (US 2003/0041329) is a system that detects intruders and collisions with an automobile camera system.

Rayner (US 6, 389, 340) is a vehicle data recorder that includes several sensors and is triggered by a change in acceleration such as a collision.

Strumolo et al (US 6, 535, 242) is a system for acquiring and displaying vehicular information that includes sensors, cameras, and a microphone all used to help detect possible collisions.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chikaodili E. Anyikire whose telephone number is (571) 270-1445. The examiner can normally be reached on Monday to Friday, 7:30 am to 5 pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272 - 7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2621

CEA

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